



AGENDA

Planning Commissioners

Jim Irving, 1st District
Ken Topping, 2nd District
Eric Meyer, 3rd District
Jim Harrison, 4th District
Don Campbell, 5th District

MEETING DATE: Thursday, October 22, 2015

MEETING LOCATION AND SCHEDULE

Regular Planning Commission meetings are held in the Board of Supervisors Chambers, County Government Center, 1055 Monterey Street, Room D170, San Luis Obispo, on the second and fourth Thursdays of each month. Regular Adjourned Meetings are held when deemed necessary. The Regular Meeting schedule is as follows:

Meeting Begins	.	9:00 a.m.
Morning Recess	10:30 a.m.	10:45 a.m.
Noon Recess	12:00 p.m.	1:30 p.m.
Afternoon Recess	3:15 p.m.	3:30 p.m.

ALL HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.

ROLL CALL

FLAG SALUTE

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Commission on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

PLANNING STAFF UPDATES

2. This is the time set for Planning Staff updates.

CONSENT AGENDA:

3. July 30, 2015 Draft Planning Commission minutes
4. **EMERGENCY PERMITS** - The following emergency permits have been issued by the Planning Director. This is a report to the Planning Commission as required by Section 22.62.080.b(8) and is being provided for public information only. No action need be taken by the Planning Commission except to Receive and File. The decision to issue an emergency permit is solely at the discretion of the Planning Director, although subsequent permits required for the project are subject to all applicable hearing requirements as specified in Titles 22 or 23. (**Recommend Receive and File**)

ZON2014-00693 - CAMBRIA COMMUNITY SERVICES DISTRICT - On September 11, 2015, the Planning Director issued an emergency permit to the Cambria Community Services District

(CCSD) authorizing the removal of up to 300 dead or dying trees deemed hazardous by Cal Fire and located on parcels owned by the CCSD. As justification for the emergency permit, CCSD stated that the “trees pose immediate threat to life and property and are a falling hazard to homes and power lines and to people using roads and trails and working in the area.” Under the emergency permit, Cal Fire’s hazardous tree determination will serve as evidence verifying that the identified trees meet the tree removal criteria in Coastal Zone Land Use Ordinance Section 23.05.064(b).

County File Number: ZON2014-00693
Supervisory District: 2
Project Manager: Airlin M. Singewald

Assessor Parcel Number: Various CCSD Parcels
Date Issued: September 11, 2015
Recommend: Receive and File

5. **GENERAL PLAN CONFORMITY REPORT** – the Planning Director has issued the following General Plan conformity report. This is a notice of a completed conformity report to the Planning Commission as required by Section B, Chapter 7 of Framework for Planning, Part 1 of the county Land Use Element, and is being provided for public information only. No action need be taken by the Planning Commission except to Receive and File the report. The decision to issue a General Plan conformity report is solely at the discretion of the Planning Director, although appeals of the Planning Director’s determination may be made in accordance with the provisions of the Land Use Ordinance. (**Recommend Receive and File**)

Notice of determination of conformity with the General Plan for the proposed sale of County-owned real property (3 parcels) located within the 3,430 acres proposed Eagle Ranch Specific Plan, adjacent to the southwestern Atascadero city limits. The parcels are located in the Agriculture land use category and within the Salinas River sub-area of the North County Planning Area. This General Plan Conformity Report is not considered a project under CEQA and therefore does not require an environmental determination. APN: 051-491-002, 051-521-002, 051-521-003. Supervisory District 5. County File Number: DTM2015-00001. **Schani Siong, Project Manager.**

6. A request for a first time extension by **FORTUNE REALTY, LLC AND SEAN H. MCGRATH** for Vesting Tentative Tract Map 2779 and Conditional Use Permit to allow for a 1) planned development, 2) subdivision of an approximate 2.2 acre parcel into 31 parcels of 2,040 to 4,585 square feet each, and 3) allow for grading and construction of 31 detached, two-story residences with attached garages, approximately 1,713 to 1,739 square feet each. The project includes off-site road improvements to 12th Street, and a connection to La Bova Street. The project will result in the disturbance of the entire 2.2 acre parcel. The division will create one on-site road (La Bova Street). The proposed project is within the Residential Multi-family land use category and is located on the southern side of 12th Street, approximately 340 feet east of N Street in the community of San Miguel. The site is in the Salinas River Sub Area in the North County Planning Area. A Negative Declaration was approved by the Board of Supervisors on September 26, 2006.

County File Number: SUB2005-00054
Supervisory District: 1
Project Manager: Jo Manson

Assessor Parcel Number: 021-401-001
Date Accepted: Not Applicable
Recommend: Approval

7. Proposal by **RONALD DENNER** to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The 123.5 acre parcel is located within the Agriculture land use category on the north side of Adelaida Road approximately 1 mile west of the intersection of Adelaida Road and Nacimiento Lake Drive, approximately 2 miles west of the City of Paso Robles. The site is in the Adelaida Sub-area of the North County planning area. A Class 17 categorical exemption was issued for the application.

County File Number: AGP2015-00002

Supervisory District: 1

Project Manager: Terry Wahler

Assessor Parcel Number: 026-232-014

Date Accepted: August 15, 2015

Recommend: Board of Supervisors approval

8. Proposal by **RIBOLI PASO ROBLES, LLC** to amend an agricultural preserve to decrease the minimum parcel size for conveyance of parcels from 80 acres to 40 acres and allow the applicant to enter into a land conservation contract. The subject property is an approximately 83 acre agricultural parcel that is currently planted with vineyards. The property is located within the Agriculture land use category, on the south side of Almond Drive, approximately four miles east of the City of Atascadero. The site is in the El Pomar-Estrella Sub-area of the North County planning area. Also to be considered is the approval of the environmental document. A Class 17 categorical exemption was issued for the application.

County File Number: AGP2014-00016

Supervisory District: 5

Project Manager: Terry Wahler

Assessor Parcel Number: 034-231-033

Date Accepted: August 3, 2015

Recommend: Board of Supervisors approval

HEARINGS: (Advertised for 9:00 a.m.)

9. Hearing to consider a request by **NIPOMO BUSINESS CENTER, LLC** to amend a previously approved Conditional Use Permit, DRC2015-00017, to allow an existing, legal, nonconforming billboard to remain for an additional 15 years. The project site is located on the south corner of Story Street and South Frontage Road in the community of Nipomo, in the South County planning area. Also to be considered is the approval of the environmental document. A General Rule Exemption was issued for the project.

County File Number: DRC2015-00017

Supervisory District: 4

Project Manager: Jay Johnson

Assessor Parcel Number: 092-158-019

Date Accepted: August 26, 2015

Recommend: Approval

10. Hearing to consider a request by **NIPOMO PARTNERS LLC** for a Conditional Use Permit, DRC2014-00157, to allow an addition of 40,722 square feet of mini-storage buildings to an existing mini-storage facility. The existing storage facility includes 89,650 square feet of storage, 12,000 square feet of commercial space, a 3,000 square-foot manager's unit and office, and 47,825 square feet of outdoor RV storage. The proposed mini-storage addition will replace the outdoor RV storage use. The proposed project is within the Commercial Service land use category and is located at 720 South Frontage Road in the community of Nipomo. Also to be considered is the approval of the environmental document. The project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

County File Number: DRC2014-00157

Supervisory District: 4

Project Manager: Brian Pedrotti

Assessor Parcel Number(s): 092-158-011, -012, -013 & -014

Date accepted: 8/20/15

Recommend: Approval

11. Hearing to consider a request by **KAREN WISE & VERIZON WIRELESS** for a Conditional Use Permit, DRC2014-00100, to allow the construction and operation of an unmanned wireless communication facility, consisting of one new 75' tall artificial eucalyptus tree ("mono-eucalyptus") supporting twelve 6' tall panel antennas, twelve new Remote Radio Units (RRUs), and four Raycaps (two located in the equipment area). The panel antennas would be located in

two sectors of six panel antennas each, one sector mounted at a height of 59' and the other at a height of 67' (measured to center of antennas) on the proposed mono-eucalyptus. The project also includes installation of two GPS antennas, an electric meter located near the base of the mono-eucalyptus, and new equipment cabinets and a 132 gallon diesel standby generator located on concrete slabs. All proposed above ground improvements will be located within a 24' x 42' lease area, surrounded by an 8' high wood fence enclosure. The project involves approximately 350' linear feet of trenching for a new power/telco utility route, with a total project site disturbance of approximately 1,050 square feet of a 5-acre parcel. The proposed project is within the Residential Rural land use category and is located at 2286 South Halcyon Road, approximately 500 feet east of the intersection of El Campo Road, adjacent to the north side of the community of Palo Mesa. The site is in the South County Inland sub area of the South County planning area. Also to be considered is the approval of the environmental document. A mitigated negative declaration was issued on September 10, 2015.

County File Number: DRC2014-00100

Supervisorial District: 4

Project Manager: Cody Scheel

Assessor Parcel Number: 075-232-054

Date Accepted: August 5, 2015

Recommend: Approval

12. Hearing to consider a request by the **SAN LUIS OBISPO COUNCIL OF GOVERNMENTS & CITY OF SAN LUIS OBISPO** for a Conditional Use Permit, DRC2014-00123, to allow the construction of a new community identification sign to read "San Luis Obispo" and an exception to Section 22.20.060(C)(2) to allow for a 326 square foot signage area. The monument sign will act as a gateway to the city. The sign will have a mission style design with stucco finish, clay tiles, decorative bell, and stone base. The monument will not exceed 24 feet in height from the lowest point on grade to the tallest point on sign structure. The project will result in approximately 250 square feet of site disturbance on a 0.64-acre parcel in the Public Facilities land use category. The project is located on the southern corner of the intersection of southbound State Highway 1 and Highland Drive, bordering the northern limits of the City of San Luis Obispo in the San Luis Obispo Sub-area (north) of the San Luis Obispo planning area. Also to be considered is approval of the environmental document. A Class 3 categorical exemption was issued for this project.

County File Number: DRC2014-00123

Supervisorial District: 5

Project Manager: Airlin M. Singewald

Assessor Parcel Number: 073-341-025

Date Accepted: July 23, 2015

Recommendation: Approval

13. Hearing to consider a request by **LOGAN NICHOLS** for a Conditional Use Permit (DRC2014-00065) to allow for the construction of a 3,360 square foot (sf) winery to include a 446 sf tasting room, a 400 sf permanent farm stand that will be located on the outside patio and related site improvements. The applicant is requesting a modification of the winery setback requirement to allow the tasting room to be located 103 feet and 172 feet to the property line (side setbacks) instead of 200 feet per ordinance requirement. The applicant is also requesting a modification of the setback requirement to allow the tasting room and farm stand to be located 337 feet to the nearest residence instead of 400 feet per the ordinance requirement. The applicant is not requesting special events or wine industry-wide events. Annual wine case production proposed is 2,500 cases. The project will result in the disturbance of approximately 0.40-acre on a 6.6-acre parcel. The project site is located at 1543 Los Berros Road, approximately 3.5 miles south of the City of Arroyo Grande, in the South County Inland Sub Area of the South County Planning Area. A General Rule Exemption was issued for this project.

County File Number: DRC2014-00065

Assessor Parcel Number : 091-053-010

14. Continued hearing to consider a request by **FREEPORT-MCMORAN OIL & GAS** for a Conditional Use Permit (CUP) to amend the previous CUP to extend the amount of time allowed to drill previously approved Phase IV oil wells (D010386D). This request would extend the current limit for an additional 3 years to install these previous approved wells (approximately 31 wells not yet installed). The project is located at 1821 Price Canyon Road (San Luis Obispo) on the east and west sides of Price Canyon Road, approximately 2.7 miles north of the City of Pismo Beach, in the South County planning area (San Luis Bay Inland sub area South). The Environmental Coordinator found that the previously certified Final Environmental Impact Report (FEIR) is adequate for the purposes of compliance with CEQA . CONTINUED FROM 9/10/2015.

County File Number: DRC2015-00002
Supervisory District: 3
John McKenzie, Project Manager

Assessor Parcel Number(s): 044-201-002, 044-241-001
Date accepted: June 3, 2015
Recommend: approval

ADJOURNMENT

ESTIMATED TIME OF ADJOURNMENT: 5:00 PM

RAMONA HEDGES, SECRETARY
COUNTY PLANNING COMMISSION

PUBLIC RECORDS ACT

Supplemental correspondence and other materials for open session agenda items that are distributed to the Planning Commission within 72 hours preceding the Planning Commission meeting are available for public viewing in the Planning and Building Department located at 976 Osos Street, Room 200. With respect to documents submitted by members of the public to the Planning Commission during a meeting, the law requires only that those documents be copied by the Clerk after the meeting for members of the public who desire copies. However, as a courtesy to others, it is requested that members of the public bring at least 12 extra copies of documents that they intend to submit to the Planning Commission during a meeting so that those extra copies can be immediately distributed to all members of the Planning Commission, County staff, and other members of the public who desire copies.

RULES FOR PRESENTING TESTIMONY

Planning Commission hearings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present testimony must observe the following rules:

1. When you come to the podium, first identify yourself and please state your area of residence. Commission meetings are tape recorded and this information is needed for the record.
2. Address your testimony to the Chair. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
3. Keep your testimony brief and to the point. Talk about the proposal and not about individuals involved. On occasion, the Chair may be required to place time limits on testimony; in those cases proposal description/clarification will be limited to 12 - 15 minutes, individual testimony to 3 minutes, and speakers representing organized groups to 5 minutes. Focus testimony on the most important parts of the proposal; do not repeat points made by others. And, please, no applauding during testimony.
4. Written testimony is acceptable. Letters are most effective when presented at least a week in advance of the hearing. Mail should be directed to the Planning Department, attention: Planning Commission Secretary. However, email correspondence is most effective when sent up to 24 hours in advance of the hearing. Email should be directed to RHedges@co.slo.ca.us. Do not include personal information such as address and telephone numbers.

APPEALS

If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the Board of Supervisors up to 14 days after the date of action, in writing, to the Planning Department. If legitimate coastal resource issues related to our local Coastal Program are raised in the appeal, there will be no fee. If an appeal is filed for an inland project, or for a coastal project with no legitimate coastal issues, there will be a fee set by the current fee schedule. If a fee is required, it must accompany the appeal form. The appeal will not be considered complete if a fee is required but not paid. There must be an original form and original signature, a FAX is not accepted.

Planning Commission decisions may also be appealable to the California Coastal Commission pursuant to Coastal Act Section 30603 and the County Coastal Zone Land Use Ordinance 23.01.043. Exhaustion of appeals at the county is required prior to appealing the matter to the California Coastal Commission. The appeal to the Board of Supervisors must be made to the Planning Commission Secretary, Department of Planning and Building, and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations contain specific time limits to appeal, criteria, and procedures that must be followed to appeal this action. The regulations provide the California Coastal Commission 10 working days following the expiration of the County appeal period to appeal the decision. This means that no construction permits can be issued until both the County appeal period and the additional Coastal Commission appeal period have expired without an appeal being filed.

Contact the Coastal Commission's Santa Cruz Office at (831) 427-4863 for further information on appeal procedures.

HEARING IMPAIRED: There are devices for the hearing impaired available upon request.

COPIES OF VIDEO, CD: You may obtain copies of the Video Recording through AGP Video at 805-772-2715, for a fee. Copies of the CD of the proceedings are available at the Department of Planning and Building, for a fee.

ON THE INTERNET

This agenda and associated staff reports may be found on the internet at: <http://www.slocounty.ca.gov/planning.htm> under Quicklinks, Meeting Agendas. For further information, please call (805) 781-5612.